

PATENT
Attorney Docket No. 23842

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alan DRIZEN et al.

Filed: April 8, 1999

Examiner: R. Harrison

Serial No: 09/228,238

Group Art Unit: 1617

For: TOPICAL DRUG PREPARATIONS



RESPONSE AND AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated June 28, 1999. The three month shortened statutory period for response is set to expire on September 28, 1999. Accordingly, this response is filed within the period for response set by the Examiner.

Further, a Declaration under 37 C.F.R. §1.132 by Alan Drizen is attached hereto. In view of the following remarks, amendments and Declaration, applicants respectfully request that the Examiner reconsider and withdraw the outstanding rejections and allow all claims pending in this application.

Please amend the application as follows:

IN THE CLAIMS

Please amend the following claims:

Claim 45, line 11, please delete "capable of being".

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